

ARTICLE V

PROMOTIONS

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The purpose of this Article is to adopt, promulgate, supervise and enforce rules and regulations that will govern promotions of members of the Police Department.

A. Factors Governing Promotions.

(1) Factors. The following four factors shall be used for rating a member below the rank of Deputy Chief for the purpose of promotion:

- a) the scores received by a member on a written competitive promotional examination;
- b) the performance record of a member as hereinafter defined;
- c) the number of years of service as a member;
- d) the performance on the oral competitive interview.

B. Selection for Eligibility for Promotion.

(1) Composite Points for Sergeant, Lieutenant or Captain. Any member who desires to be placed on an eligibility list for promotion to a rank of Sergeant, Lieutenant or Captain shall be qualified as to rank and length of service as set forth below. The weight given to the factors set forth in Section A above shall be as follows:

- a) Thirty percent (30%) for a written competitive promotional examination, based upon the most recent results of a written promotional examination administered within the past two (2) years;
- b) Forty percent (40%) for the average of the last 6 performance ratings prior to the date an eligibility list is created;
- c) Ten percent (10%) for length of service calculated to the date the date an eligibility list is created;
- d) Twenty percent (20%) for the oral competitive interview administered when there is eligibility for promotion.

(2) Other Qualifications for Promotion.

- a) All promotions to any rank shall be from the next immediate lower rank without regard to division.
- b) All members seeking to take the promotional exam shall have been a member for a minimum of three (3) years.

- c) The member being promoted must have served at the lower rank for a minimum of two (2) years, except for Sergeant, in which case the member must have served at the lower rank for a minimum of three (3) years.

C. Eligibility List.

When a vacancy occurs, the Commission shall establish an eligibility list for promotion. The eligibility list for a position consists of members who have been placed on the list in the order of their cumulative score on all rating factors as set forth above in Section B(1). The eligibility list shall be maintained for two (2) years from the date of certification, after which time the list shall be retired and a new list established. The retired list shall be kept for five (5) years and then destroyed. [Revised 4/14/2014]

D. Written Competitive Promotional Examinations.

(1) Written Exam. A written competitive promotional examination shall be given to those eligible members seeking to be promoted to the rank of Sergeant, Lieutenant, or Captain. The examination shall be given annually in February. The results of the examination are valid for two (2) years from the date of the examination. Members may take the examination each year; however, the score from the most recent examination shall be used in calculating the score for the eligibility list. The Commission shall notify the members of the written materials from which the questions will be taken. The Commission may employ instructors, purchase materials, and make other expenditures to provide information for those taking the examination. Members seeking promotion will sign up for the examination in the City of West Lafayette Human Resources Office. Study guide materials may be loaned to individuals who sign up for the examination.

(2) Grading. The grading of the examination shall be graded on the basis of one hundred percent (100%) for a perfect score. Such score shall then be converted to the thirty percent (30%) factor as used for determining composite points for promotion.

(3) Administration. Preparation and grading of the written promotional examinations shall be under the administration of the Commission. In no event shall the persons grading the examinations be permitted to know the names of the member who has written the examination which is being graded. The Commission shall keep all written examinations confidential.

(4) Notification of Score. After the exams are scored, the Commission shall notify each member in writing of the score received on the examination. Said score shall become a part of the permanent file of the member. The member is entitled to access his file at any time.

(5) Commission Supervision. The examination papers shall be kept under the Commission's supervision.

(6) Appeal of Score. A member who disagrees with his score on the written examination may appeal to the Commission for review of the score.

a) The member must file the appeal within ten (10) days after the date the Commission sends the score to him.

b) The member may review the test questions which were incorrectly answered by him and challenge the answers considered correct by the test examiner.

c) The Commission shall either affirm the score or correct the score according after a review of the findings.

(7) Retention of Exams. The examination papers shall be retired after the two (2) year period for which the eligibility list is valid. The retired examinations shall be retained for five (5) years and then destroyed.

E. Oral Competitive Interviews with the Commission. The Commission shall interview members seeking promotion after they have taken the written examination. The interviews shall be completed prior to the end of April.

(1) Interview Calculation. The interview shall be graded on the basis of twenty (20) points for a perfect score. The member's score shall then be used in calculating the score for the eligibility list.

F. Performance Ratings.

(1) Ratings Procedure. Performance ratings shall be made every six (6) months for each member below the rank of Deputy Chief. The performance rating shall be conducted by the member's superior and reviewed by the commanding officer of the member. The performance rating shall be submitted to the Chief and kept on file permanently in his office. The Chief shall notify each member of their rating in writing.

a) The Commission shall determine the form to use for performance ratings;

b) If a member is aggrieved with the performance rating, the member shall have the right to appeal to the Commission for a review of the rating within ten (10) days after notice of the rating;

c) The Commission, after reviewing the rating, shall have the authority to affirm or change the rating.

(2) Rating Calculation. The past performance ratings to be used for eligibility for promotion of a member shall be the arithmetic average for the member's last six (6) performance rating scores received at any rank. Such score shall then be converted to the forty percent (40%) factor as used for determining composite points for promotion.

G. Length of Service Score.

(1) Seniority Calculation. Seniority scores shall be calculated to the date of the certification of the eligibility list at the rate of one (1) point for each year served on the department for promotion to the ranks of Sergeant, Lieutenant and Captain. No points are given for less than a full year served.

(2) Military Service. Military service, while on leave from the Department, shall be included in the seniority score.

(3) Maximum Seniority Score. The maximum possible score for seniority shall be twenty (20) points for promotion to the ranks of Sergeant, Lieutenant and Captain. Such score shall then be converted to the ten percent (10%) factor as used for determining composite points for promotion.

H. Eligibility for Promotion.

(1) Vacancy. When a vacancy in rank occurs, the Commission shall certify, in writing, to the Chief, the members having the three highest scores on the eligibility list for promotion to that rank

(2) Chief's Recommendation. Within six (6) months of receiving the certified names from the Commission, the Chief shall recommend one (1) of eligible members for promotion to the vacant rank.

(3) Promotion. Upon the recommendation of the Chief, the Commission shall promote the member to the vacant rank.

I. Probationary Period. All promotions shall be considered as probationary for a period not to exceed one (1) year from date of appointment.

(1) Review by Superior. At the end of the first year of probation, the probationary member's superior shall review the member's performance and recommend to the Commission that:

- a) the promotion be granted permanent status;
- b) the promotion be revoked.

- (2) Rating the Probationer. Probationary members shall be rated in the same manner as other members of the department. The Commission shall review the report and decide what action should be taken.
- (3) Review. The probationary member is entitled to appear before the Commission and be heard on any matter he considers detrimental in the report.
- a) The probationary member may be represented by counsel or another representative of his choice.
 - b) If the promotion is revoked, the member may not be returned to a rank lower than that he held before the promotion.
- J. Appeal. The member aggrieved by actions of the Commission, other than making the promotion permanent, may appeal those actions, within thirty (30) days of the action, to the Tippecanoe Circuit or Superior Court. The City of West Lafayette shall be the sole defendant in any appeal to the courts.
- K. Furnishing Information to Members Eligible for Promotion. A Commissioner who knowingly furnishes information to a member eligible for promotion that gives that person an advantage over another person commits a Class D felony.